

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Star Joyce

Case:2:13-mj-30429
Judge: Unassigned,
Filed: 07-12-2013 At 04:16 PM
Sealed Matter (jj)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 6, 2013 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

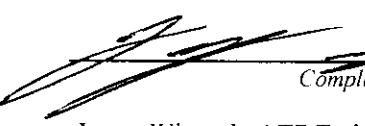
Offense Description

Title 18 U.S.C. Sections 1001

The defendant knowingly and willfully made a materially false, fictitious or fraudulent statement or representation. The statement regarded a matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, to wit: the investigation of a felon in possession offense.

This criminal complaint is based on these facts:

Continued on the attached sheet.

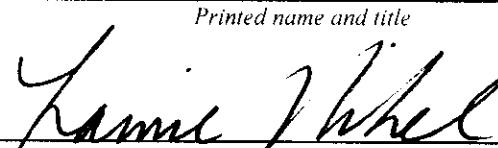

Complainant's signature

James Wiencek, ATF Task Force Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: July 12, 2013

City and state: Detroit, Michigan


Judge's signature

HON. LAURIE MICHELSON, U.S. MAGISTRATE JUDGE
Printed name and title

AFFIDAVIT

James J. Wienczek, being duly sworn, deposes and states the following:

1. I make this affidavit from personal knowledge based on my participation in this investigation, with exception of the matters expressly stated, which are based on information received from other law enforcement officials and/or their reports and records. The information outlined below is provided for the limited purpose of establishing probable cause, and does not contain all details or facts that exist pertaining to the investigation.
2. I have been employed as a Detroit Police Officer since May of 1997. I am currently assigned as a Task Force Officer of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, United States Department of Justice, since March 2012, currently assigned to the Detroit Field Division. During my employment as a law enforcement officer, I have conducted and participated in over a hundred criminal investigations focused on illegal firearms and armed drug trafficking violations.
3. I am currently involved in an investigation of Ricky MARTIN JR., born XX/XX/1983, who provided an address of XXXX, Michigan. This investigation concerns MARTIN'S violation of the federal firearms statute within the Eastern District of Michigan.

4. On March 7, 2013, a grand jury indicted the above-named defendant for possessing a firearm while having been a previously convicted felon. On July 10, 2013, a grand jury returned a superseding indictment charging him with felon in possession of a firearm and three counts of witness tampering. (Docket No. 13-20184, Cox, J.). The substance of the indictments, and the herein request for a criminal complaint and arrest warrant, stem from the facts below.

5. On January 31, 2013 at approximately 11:30 pm, Westland Police Department were dispatched to 26XX Hawley Blvd located in the city of Westland, Michigan regarding a domestic disturbance. Police dispatch advised responding officers that a Ricky MARTIN was at the location trying to gain entry while armed with a handgun. Dispatch updated responding officers that MARTIN had left the location in a white colored Chevy Impala. Westland and Wayne Officers subsequently observed a vehicle matching that description in the area. It was occupied by a lone black male which appeared to the Westland officers to be MARTIN. Based upon information from dispatch that MARTIN was recently released from federal prison for a gun offense, Officers from the Westland Michigan Police Department used their in car computer to view their initial Picture Link photograph of Rickey Martin date of birth XX/XX/1983 and confirmed the lone black male they observed driving the white Impala was Rickey MARTIN. A police pursuit of the white Chevy Impala ensued. During the chase of the vehicle, officers observed a handgun was thrown from the driver's window of the vehicle. The firearm and magazine were later recovered. The police pursuit

ended in the city of Inkster, Michigan and MARTIN fled the vehicle. Officers observed a lone set of foot prints in the snow leading away from the driver's door of the Chevy Impala. These footprints ultimately led to the rear of 40XX Burns, Inkster, Michigan, which is the residence of Star JOYCE, where they terminated. While on the scene outside and around 40XX Burns, officers were updated by their dispatch that 40XX Burns was known for prior contacts with a Star JOYCE or JOYCE Star. Officers surrounded 40XX Burns, Inkster, Michigan and held a perimeter until ordered to clear by superiors due to the potentially costly high risk entry into the location. Since the handgun and magazine were recovered in the vicinity where they were jettisoned, Westland officers returned to the station and completed another Picture Link identification of the offender and confirmed the person they observed in the Impala was MARTIN.

6. On March 6, 2013, ATF Task Force Officer (TFO) James Wiencek and ATF Special Agent (SA) Michael Coleman met with Star JOYCE at 40XX Burns in the city of Inkster, Michigan regarding this investigation. Prior to interviewing JOYCE, Agents advised JOYCE several times, of the penalty for providing false statements to a federal agent. Agents then interviewed and took a written affidavit from JOYCE regarding the incident that occurred at her residence, located at 40XX Burns, Inkster, Michigan on January 31, 2013 in the evening to the early morning of February 1, 2013. In contradiction of the lone set of footprints which led away from the Impala and disappeared inside the rear entrance to her home, JOYCE advised Agents that Ricky MARTIN her cousin did

not come to her residence, located at 40XX Burns, Inkster, Michigan on January 31, 2013 in the evening to the early morning of February 1, 2013. JOYCE advised she heard police microphones, and observed the police outside but MARTIN was not inside the 40XX Burns dwelling at that time.

7. On July 3, 2013, (TFO) Wiencek and ATF (SA) Richard Buyse made contact with Erica Davis of XXXX Burns, Inkster, Michigan. Erica Davis viewed a photo array containing (6) photographs and identified a photo of Ricky MARTIN. Erica Davis stated she had seen MARTIN on the block before.
8. On July 3, 2013, (TFO) Wiencek and ATF (SA) Richard Buyse made contact with Tonya Harris of XXXX Burns, Inkster, Michigan. Tonya Harris viewed a photo array containing (6) photographs and identified a photo of Ricky MARTIN. Tonya Harris stated she knew MARTIN as "Little Ricky" from across the street.
9. On July 11, 2013, (TFO) Wiencek interviewed Chavonne Simmons, who was in federal custody on a federal arrest warrant for witness tampering (obstruction of justice). After being advised of her Constitutional Rights (Miranda), Simmons advised agents that on January 31, 2013 in the evening to the early morning of February 1, 2013, Ricky MARTIN had been at her residence in Westland and was causing a domestic disturbance. Simmons stated some time after MARTIN had left her residence she received a telephone call from MARTIN. Simmons explained that MARTIN sounded "out of breath" and MARTIN admitted to

Simmons that he had been involved in a high speed chase with the police. Simmons also explained that MARTIN admitted to her that the police had surrounded the location he was hiding at. Simmons stated she knew MARTIN was residing at 40XX Burns location, with his cousin JOYCE, before and after the January 31, 2013 domestic disturbance. Simmons also stated she knew MARTIN maintained clothing and other personal property at the 40XX Burns location. Simmons also stated she did speak with JOYCE on behalf of MARTIN in an attempt to get her to lie or interfere with MARTIN's current court case.

10. Throughout this investigation (TFO) Wiencek has reviewed calls placed by MARTIN while detained in the State of Michigan Wayne County Jail. These jail calls revealed the following information.

- a. On March 7, 2013, at approximately 1249 PM, MARTIN called Simmons. While referencing a conversation he had with JOYCE, MARTIN stated, she [JOYCE] scared to say "I don't know what y'all talking about you feel me? Like what's so hard about that". MARTIN further stated, in an imitation and mockery of [JOYCE's voice], she [JOYCE] exclaimed "I could get in trouble." MARTIN then stated he replied, "How the fuck somebody gonna get you in trouble, who gonna tell on you but you?" "I'm not gonna tell on you so who else gonna tell on you but you."

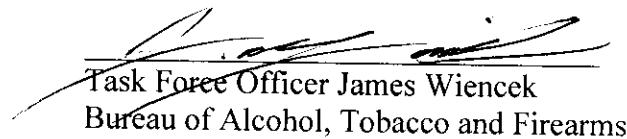
- b. On March 7, 2013, at approximately 1310 PM, MARTIN called Simmons. While referencing JOYCE, MARTIN stated "what dingy saying though, what

was she sounding like? Is everything under control so far as that goes, or but you ain't you ain't you ain't do what I asked you to do? You ain't laced their shoes up?" Simmons responded "yeah yeah I had already did that." MARTIN then asked Simmons, "What did they say? Did they say they was gone hold up or they couldn't take the pressure?" Simmons replied, "They was good at that point."

- c. On March 9, 2013, at approximately 2010 PM, MARTIN called JOYCE and stated "ay you said nub over there right" JOYCE responded "yeah" MARTIN responded "none of my clothes better not come up missing!" JOYCE responded "nah it ain't they covered" MARTIN responded "ah alright I'm just letting you know, cause don't think I ain't coming home."
- d. On March 10, 2013, at approximately 1047 AM, MARTIN called Simmons and had her three way call JOYCE. MARTIN asked JOYCE "where my clothes at that nigga ain't touched my clothes did he?" JOYCE responded "God no".

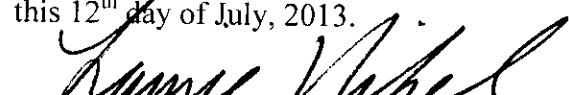
11. Based on the above facts, I have probable cause to believe on March 6, 2013, in the Eastern District of Michigan, Star JOYCE did knowingly and willfully make materially false, fictitious and fraudulent statements and representations, in a matter within the jurisdiction of the Bureau of Alcohol, Tobacco, Firearms and Explosives, an agency within the executive branch of the Government of the

United States, to wit: the investigation of a felon in possession offense, when JOYCE stated that Ricky MARTIN did not enter her residence on January 31, 2013 in the evening to the early morning of February 1, 2013, in violation of Title 18 U.S.C. § 1001.



Task Force Officer James Wiencek
Bureau of Alcohol, Tobacco and Firearms

Sworn and subscribed before me on
this 12th day of July, 2013.



HONORABLE LAURIE MICHELSON
United States Magistrate Judge